

REMARKS

The present Amendment is in response to the Examiner's Office Action mailed September 9, 2005. Reconsideration of the application is respectfully requested in view of the following remarks and the enclosed terminal disclaimer. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

I. Obviousness Type Double Patenting Rejection

In the Office Action, the Examiner rejects claims 1, 4-5, 18, 23, and 38 under the judicially created doctrine of obviousness-type double patenting in view of *Miller* (U.S. Patent No. 6,778,566). While Applicant does not agree with the assertion of the Examiner that the claims of the present application are obvious in view of the claims of U.S. Patent No. 6,778,566, Applicant has filed a terminal disclaimer relative to U.S. Patent No. 6,778,566 and Applicant thus respectfully submits that in view of such terminal disclaimer, the rejection of the Examiner has been overcome and should be withdrawn.

II. Allowed Subject Matter

The Examiner's allowance of claims 9-17 and 28-37 is appreciated. Applicants wish to thank the Examiner for the careful review and allowance of those claims. The Applicant's submit the following comments concerning the Examiner's statements of reasons for the indication of allowable subject matter in the Office Action. Applicant agrees with the Examiner that the claimed invention of claims 9-17 and 28-37 is patentable over the prior art, but respectfully disagrees with the Examiners statement of reasons for allowance as set forth in Office Action. Applicant submits that it is the claim as a whole, rather than any particular

limitation, that makes each of the claims allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that makes it allowable. Therefore, Applicant's do not concede that the reasons for allowable subject matter given by the Examiner are the only reasons that make, or would make, the claims allowable and do not make any admission or concession concerning the Examiner's statement in the Office Action.

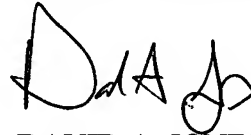
The Examiner has indicated that claims 2-3, 6-8, 19-22, 24-27, and 39-45 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the submitted terminal disclaimer, each of claims 2-3, 6-8, 19-22, 24-27, and 39-45 depend from an allowable independent claim and inherit the elements of the independent claim from which they depend. Thus, claims 2-3, 6-8, 19-22, 24-27, and 39-45 are also allowable at least for the same reasons set forth above.

CONCLUSION

In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 9 day of January, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D.A. Jones', with a stylized flourish at the end.

DAVID A. JONES
Registration No. 50,004
Attorney for Applicant
Customer No. 022913
Telephone: (801) 533-9800